

**THE CITY OF BATTLEFIELD
BOARD OF ALDERMEN
REGULAR SESSION MEETING MINUTES
MARCH 20, 2012**

Item 1 Call to order

Mayor Kruse called the meeting to order at 7:02 p.m. in Battlefield City Hall. The following Board members were present: Carolyn Poole, Stephen Esterline, Debra Hickey, and Mike Goldenberg. Aldermen Scott Anderson and Shawn Billings were absent for the meeting. Also present were City Attorney Jim Kelly, City Administrator Rick Hess, City Clerk Beth Anne West, and Chief of Police David Vallely.

Item 2 Ceremonial Matters

The invocation was led by Pastor Jack Robinson. Alderman Poole led the pledge of Allegiance.

Item 3 Announcements

Mayor Kruse noted the Historical Trail of Tears dedication would take place about noon and would start in Strafford at 10:30 a.m. Mr. Kruse explained Mr. Hess had more details about the dedication. Alderman Poole reminded everyone of the dinner Thursday evening to be hosted by the Board with all of the City Boards, Committees and Commissions to attend and had about 16 people that had sent in reservations.

Item 4 Mayor Updates

Mayor Kruse recognized Alderman Hickey for her attendance at tonight's meeting since she still recovering from her heart surgery and he appreciated all she has done for the City. Mayor Kruse noted after the election representatives from the Ozarks Transportation Organization (OTO) could offer training through the OTO on what their organization does for our City. Mayor Kruse mentioned he attended the Fire Protection District meeting and he is grateful for the relationship with the District.

Item 5 City Administrator Updates

City Administrator Rick Hess noted the City had received the Preliminary Plat from Paul Larino and the Site Plan for Menard's for the Wilson Creek Development. Mr. Hess noted he was working with the Planning and Zoning Commission to set up a meeting to review this material and that some of the items will not be approved by the Commission and will need to be reviewed by the Board of Adjustments and the Board of Aldermen to move forward with the project, so the project could start in early May. Mr. Hess stated there were copies of both versions of the agreement regarding Emergency Management and after receiving a four page memo from the City Attorney he would need to incorporate those changes before the Board made a decision so they may need to postpone making a decision on it tonight.

Item 6 Fire Chief Updates

Fire District Battalion Chief Thomas Dickey spoke on behalf of Fire Chief Bryan Newberry in his absence and stated they were pushing forward with the tax levy campaign and they were trying to be proactive by going door to door with their campaign. Mr. Thomas Dickey stated they have about 10-12 calls a day and about 10 years ago it was about 3 calls per day, which is a byproduct of growth.

Item 7 Adoption and Approval of Consent Agenda

Motion was made by Alderman Esterline to adopt and approve the consent agenda items a –f including the following items: March 6, 2012 regular session minutes, Bills paid in the amount of City of Battlefield

Board of Aldermen

Regular Session Meeting Minutes

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\$4,973.34, Bills to approve in the amount of \$9,961.43, February 2012 Financials, February 2012 Bank Reconciliations, Committee and employee reports. Motion was seconded by Alderman Hickey. A roll call vote was taken and the vote was 4 Ayes- Mike Goldenberg aye, Debra Hickey aye, Stephen Esterline aye, and Carolyn Poole aye. 0 Nays. Alderman Debra Hickey was absent for the vote. Motion approved.

Item 8 Public Input

None.

Item 9 Unfinished Business

None.

Item 10 a Discussion and Possible Vote to Approve Bill #12-05, An Ordinance Adopting and Enacting a New Code of Ordinances of the City of Battlefield; Establishing the Same; Providing for the Repeal of Certain Ordinances not Included therein, except as herein Expressly Provided; Providing for the Manner of Amending such Code of Ordinances; Providing Penalty for the Violation Thereof; and Providing When this Ordinance shall Become Effective.

Motion was made by Alderman Goldenberg to have the first reading of Bill #12-05 by title only. Motion was seconded by Alderman Esterline. A roll call vote was taken and the vote was 4 ayes- Carolyn Poole aye, Stephen Esterline aye, Debra Hickey aye, and Mike Goldenberg aye. 0 Nays. Aldermen Scott Anderson and Shawn Billings were absent for the vote. Motion approved. The Bill #12-05 was read by title only for the first time by City Clerk Beth Anne West. Motion was made by Alderman Goldenberg to approve the first reading of Bill #12-05 by title only. Motion was seconded by Alderman Poole. City Attorney Jim Kelly asked the Board to consider approving the ordinance except for section 210.410 on page 102 of the code update. Mr. Kelly felt the ordinance was vague and the Board could choose not to pass this section now or approve it and repeal this section later. Mr. Kelly noted that Sullivan Publications had written the ordinance where sections could be opted out if the Board chooses to do so. Police Chief Vallely provided his input on the issue and noted the Police force will still have to investigate anyway and his office would still have to determine where the lease took place based on the state statute. A roll call vote was taken and the vote was 4 Ayes- Carolyn Poole aye, Stephen Esterline aye, Debra Hickey aye, and Mike Goldenberg aye. 0 Nays. Alderman Scott Anderson and Shawn Billings were absent for the vote. Motion approved. Motion was made by Alderman Esterline to move to amend Bill #12-05 by deleting Section 210.410 and having the second reading by title only as amended. Motion was seconded by Alderman Goldenberg. A roll call vote was taken and the vote was 4 ayes-Mike Goldenberg aye, Debra Hickey aye, Stephen Esterline aye, and Carolyn Poole aye. 0 nays. Aldermen Scott Anderson and Shawn Billings were absent for the vote. Motion approved. Bill #12-05 was read by title only as amended for the second time by City Clerk Beth Anne West. Motion was made by Alderman Goldenberg to approve the second reading of Bill #12-05 by title only as amended for final passage and to make it ordinance #12-05. Motion was seconded by Alderman Esterline. A roll call vote was taken and the vote was 4 ayes- Carolyn Poole aye, Stephen Esterline aye, Debra Hickey aye, and Mike Goldenberg aye. 0 Nays. Aldermen Scott Anderson and Shawn Billings were absent for the vote. Motion approved.

